



Austin City Council MINUTES

For OCTOBER 30, 1986 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, approved minutes for regular meeting of October 16, 1986 and special meetings of October 21 and 22, 1986. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Rose and Urdy out of the room.)

CITIZENS COMMUNICATIONS

None of the citizens who signed up to speak appeared before Council. They were Mark K. Beers, Rob McCorkle and Paul Robbins.

OLD BUSINESS

Zoning Ordinances

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, passed through second or third readings of the following ordinances: (6-0 Vote, Councilmember Urdy out of the room.)

(1) WATERLOO DEVELOPMENT
COMPANY
By T. L. Irion
C814-86-029

12184 & 12186
Jollyville Road

From "LO" & "RR"
to "PUD"

Second and third readings. First reading on October 8, 1986, (6-0). Mayor Frank C. Cooksey absent. No Conditions to be met.

10/30/86

- (2) CAPITOL OF TEXAS 11th Street and From "UNZ" to
By City of Austin Congress Avenue "UNZ-H"
C14h-86-023

Second and third readings. First reading on
October 8, 1986, (6-0). Mayor Frank C. Cooksey
absent. No conditions to be met.

- (3) HAROLD SILBERBERG Stonewood Drive, From "SF-3" to
By Jeryl Hart Engineers Ridgestone Drive "PUD"
C814-86-008 & Chimney Corners

Second and third readings. First reading on
October 8, 1986, (6-0). Mayor Frank C. Cooksey
absent. No conditions to be met.

- (4) DENNIS BAUERLE 2407-2603 Jones Road From "SF-3" to
By Clifford Curry 2602 Ektom Drive "MF-3", "MF-2" &
C14-86-143 "SF-6"

Second and third readings. First reading on
October 8, 1986, (6-0). Mayor Frank C. Cooksey absent.
Conditions have been met as follows: Restrictive Covenant
incorporating conditions imposed by Council has been
executed.

- (5) GREAT HILLS LIMITED Northwest corner of From "SF-2" & "DR"
By Neal Graham Forsythia Drive & to "LO"
C14r-86-044 located west of Loop
360 near the Spicewood
Springs Intersection

Second and third readings. First reading on
August 28, 1986, (5-0). Councilmembers Charles E. Urdy
and Mark Rose out of room at roll call. Conditions
have been met as follows: Development restricted to
that shown on site plan attached as exhibit "B" to the
ordinance.

- (6) C. B. CARPENTER, 6901-7007 RM 620 From "SF-2" to
TRUSTEE 11413-11505 RM 2222 "GR"
By Kinney, Kaler,
Sanders & Crews
C14r-85-198

(emergency passage of ordinance)

Second and third readings. First reading on
July 31, 1986, (6-0). Mayor Pro Tem John Trevino,
out of room at roll call. Conditions have been met
as follows: Conditions imposed by Council are
included in site plan attached to ordinance.

ITEM POSTPONED

Postponed until November 13, 1986 is consideration of approval of the selection of professional architectural services in connection with planning, design, and construction of the Rain Creek Parkway and Lost Horizon Boulevard Prototypical Fire Station. C.I.P. No. 85/83-07.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Carl-Mitchell out of the room.)

Decker MUD No. 2

Amended the Decker Creek MUD No. 2 consent agreement to allow for a reduction in right-of-way with requirement for Decker Lake Road, Loyola Lane.

Capital Improvements Program

Declared the necessity for and ordered improvements to the following:

- a. Taylor Draper Lane, consisting of 1 unit covering approximately 1 ½ blocks. C.I.P. No. 85/62-64.
- b. Jollyville Road, Phase II, consisting of 1 unit covering approximately 21 blocks. C.I.P. No. 84/62-13

Correction of Legal Description

Amended the following ordinance to correct the legal description:

- a. Ordinance No. 860717-I - Case No. C14-85-123 (part) locally known as 4326 and 4330 James Casey Street.

Zoning Ordinance

Amended Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

James Dale Lee, et al	802 West St. Elmo	From "SF-3" to
By James D. Lee	Road	"LO"
C14-85-123 (part)		

Heard and granted July 11, 1985, (7-0). Conditions have been met as follows: Right-of-way on West St. Elmo Road and James Casey Street has been dedicated by street deed.

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion:

Release of Easement

Authorized release of the following easement:

- a. A portion of a public utility easement and a portion of a public utility and drainage easement as per plat recorded in Volume 47, Page 86, 6001 Shadow Valley Cove. (Request submitted by Julie Sayers)

License Agreements

Entered into the following license agreements:

- a. To allow the encroachment of private conduit and fiberoptic cable into the public right-of-way of Executive Center Drive, 3400 Block. (Request submitted by The Continuum Corporation on behalf of Koger Properties, Inc.)
- b. To allow the encroachment of private conduit and fiberoptic cable into the right-of-way of Executive Center Drive, 3700 block. (Request submitted by the Continuum Corporation on behalf of Koger Properties, Inc.)

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following tracts of land for the Stassney Lane and Burleson Road right-of-way and drainage improvements:

- a. Fee simple title to 6.8494 acres of land out of a 309.157 acre tract of land conveyed to the State of Texas by deed recorded in Volume 7113, Page 236, of the Travis County Deed Records, save and except all mineral rights, for the Stassney Lane Right-of-way.
- b. Easement title to 0.4978 acres of land out of said 309.157 acre tract of land for a permanent Drainage Easement.
- c. Easement title to 0.1042 acres of land out of said 309.157 acre tract of land for a Slope Easement.
- d. Fee simple title to 6,417 square foot tract of land out of said 309.157 acre tract of land, save and except for all mineral rights, for Burleson Road Right-of-way.
- e. Easement title to 6,443 square foot tract of land out of said 309.157 acre tract of land for a permanent Drainage Easement.

Item Postponed

Postponed to November 13, 1986 is consideration of the following item:

CAPITAL IMPROVEMENTS PROGRAM - Consider authorizing Eminent Domain Proceedings to acquire the following tracts of land for:

- a. RM 2222 and Loop 360 Fire Station Project.
 - (1) Fee simple title to 4.9459 acres of land out of an 8.87 acre tract as recorded in Volume 856, Pages 3-6, Travis County, Texas. C.I.P. No. 85/83-06
- b. Bee Caves Woods and Honey Tree Fire Station Project.
 - (1) Fee simple title to 1.542 acres of land out of Lot 5, Block G, Preliminary Plan of Treemont Subdivision, Phase E, Travis County, Texas. C.I.P. No. 85/83-01
- c. Rain Creek Area Fire Station Project.
 - (1) Fee simple title to 1.8 acres of land out of the James Coleman Survey 25, Great Hills Subdivision, Travis County, Texas. C.I.P. No. 85/83-07
- d. Braker Lane Street Improvement Project.
 - (1) 32,411 square feet out of Lot 14, Frank Stark Subdivision within the John C. Brooke Survey, Travis County, Texas. C.I.P. No. 82/62-15

Capital Improvements Program

Approved acquisition of a 0.1497 acre (6,521.60 sq. ft.) parcel of land for the purpose of Highway 183 (Research Blvd.) and Loop 1 (MoPac) Interchange right-of-way widening. C.I.P. No. 85/62-01

Approved the following change orders:

- a. In the amount of \$306,000.00 to Arco Solar, Inc. for a PV300, Grid-Interactive Centralized Photovoltaic Plant. (11.0% increase of the original contract, total changes to date 11.3%) C.I.P. No. 84/12-04
 - b. In the amount of \$178,339.00 to Energy Plant Constructors, Inc. for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project. (2.060% increase of the original contract, total changes to date 6.378%) C.I.P. No. 85/23-16
-

Water & Wastewater Utility Plan

Approved a Supplemental Amendment No. 1 to the Professional Services Agreement between the City of Austin and Engineering-Science, Inc. for the development of the Water and Wastewater Utility Plan.

Contracts Approved

Approved most of the following contracts.

- a. CHASCO CONTRACTING
P. O. Box 1057
Round Rock, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of E. Bouldin
Creek By-Pass Phase II, Public
Works Department
Total \$761,903.00 C.I.P. Nos.
83/60-13 & 73/86-37

- b. ROCHA DITCHING SERVICE (MBE)
7928 Coulver
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Nuckols
Crossing, Brodie Lane and McCarty
Lane Temporary Sidewalks, Public
Works Department
Total \$55,266.96 C.I.P. No.
85/61-03

- c. AUSTIN ENGINEERING COMPANY
P. O. Box 161990
Austin, Texas

(Reconsidered for discussion later in the day and then approved, again, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent.)

- d. AUSTIN ENGINEERING COMPANY
P. O. Box 161990
Austin, Texas

(Reconsidered for discussion later in the day and then approved, again, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent.)

- e. LEWIS CONTRACTORS
P. O. Box 19505
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Riverside Drive
Improvements from Newning Avenue
to I.H. 35, Public Works
Department
Total \$2,528,822.95 C.I.P. Nos.
73/62-03, 83/22-05 & 83/23-05

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of West 35th
Jefferson Street Intersection
Improvements, Public Works
Department
Total \$702,187.85 C.I.P. No.
78/62-22

- CAPITAL IMPROVEMENTS PROGRAM -
East Austin Transmission Main
Phase II, Water and Wastewater
Utility Department
Total \$2,081,552.50 C.I.P. No.
73/22-05

POSTPONED TO 11/30/86

- f. SIEMENS ENERGY & AUTOMATION,
7801 Broadway, Suite 210
San Antonio, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Six 63KA-145KV Circuit Breakers
for 200 MW Gas Turbine Project,
Electric Utility Department
Total \$406,902.00 C.I.P.No.
85/12-04
- g. NATIONAL ELECTRIC, INC.
Highway 169 North
Coffeyville, Kansas
 - Disposal of PCB-Contaminated
materials and Decontamination of
of PCB-Contaminated Materials,
Electric Utility Department
Twelve (12) Month Contract
Total \$128,894.00 86-S652-LI
- h. ESCO DISTRIBUTORS, INC.
404 North Main Street
Schulenburg, Texas
 - Herbicides, Fungicides and
Insecticides, Parks and
Recreation Department
Twelve (12) Month Supply Agreement
Items 1,4 & 8 - \$35,017.00
86-0396-DC

Sector Councils

Approved stating the purpose and structure of Sector Councils and the Citywide Sector Council.

Austin Plan Steering Committee

Approved creating up to ten (10) additional positions on the Austin Plan Steering Committee to allow for representation from the fringe sectors in the City of Austin's ETJ.

National Guard at Airport Facility

Approved an amendment to the City of Austin/Texas National Guard Armory Board agreement to provide for additional construction by the Guard at Airport Facility.

Improvement to City's Water System

Approved Addendum No. 1 to the Amended Agreement regarding the construction of improvements to the City of Austin's Water System in the Northwest "A" and Northwest "B" Pressure Zones, West Bull Creek Area.

Public Hearing Set

Set a public hearing on the following: The Building Inspection Department Internal Audit, November 20, 1986 at 6:00 p.m.

ZONING ORDINANCE

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, passed through SECOND READING ONLY of an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

JOHN REYNODS &
ASSOC., INC.
C14-86-040

1100 Block of Bluff
Bend Drive

From "SF-2" to
"SF-6" and "LO"

Second reading only. First reading on June 5, 1986, (Tr. 1 4-3) (Tr. 2 7-0). Councilmembers Shipman, Carl-Mitchell and Humphrey voted NO. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

ZONING POSTPONED

Postponed to November 13, 1986 is action on the following zoning ordinance:

HEMECRAFT EAST AUSTIN
By Kristaponis,
Gregory & Assoc.
C14-86-134
(remaining balance)

ADDITIONAL CAPITAL IMPROVEMENTS PROGRAM PROJECTS

Council had before them for consideration the Planning Commission's additional Capital Improvements Program recommendations and amendment of the ordinances adopting the Capital Improvements Program accordingly.

Motion

Mayor Cooksey made a motion, seconded by Councilmember Carl-Mitchell to add the following projects to the Capital Improvements Program accordingly:

86/87	MKT Railroad Right-of-Way Acquisition	\$6,000,000.00
86/87	Garden Center Roadway Improvements	403,000.00

86/87	Norwood House Restoration	\$300,000
88/89	Capital City Playhouse	\$2,500,000
86/87	Old Bakery Renovation	\$350,000

Friendly Amendment

Councilmember Carl-Mitchell offered a friendly amendment that the approval for MKT Railroad right-of-way acquisition include a minimum of fifty feet of the ROW plus additional areas for station locations to be used for mass transit; UMTA funding should be pursued; extra ROW should be sold at fair market value if legally feasible; and the Capital Metro Board should be encouraged to contribute fifty percent of this project. Mayor Cooksey accepted the friendly amendment.

Roll Call

7-0 Vote

ITEM POSTPONED

Postponed to November 6, 1986 is consideration of establishing the date of the bond election and establish the propositions in the form of a ballot.

Postponed to November 6, 1986 is consideration of the creation of a non-profit organization to administer the City's tourism Program. Motion for postponement was made by Councilmember Shipman and seconded by Councilmember Rose with a vote of 7-0.

COMPUTER AIDED DISPATCH SYSTEM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution to approve a contract for a computer aided dispatch system with staff's proposal for PSW III software and IBM hardware. (7-0 Vote)

LOOP 360 CORRIDOR PLAN

Council had before them for consideration a resolution relating to the Loop 360 Corridor Plan.

Motion

Councilmember Carl-Mitchell made the following motion:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the City Council directs the City Legal Department to work with the applicant on behalf of the City in drafting an amendment to Chapter 13-2A of the City Code that would enable these applicants to process for the unified 8-tract area, a special zoning district or a modification to an existing zoning district. -I believe that staff has looked at modifications to the PUD District- The Council also directs the City staff to expedite processing of the amendment to the zoning ordinance and to expedite to the extent practical, the application by these landowners to finalize their zoning under the amended Chapter 13-2A.

2. That the City Council endorses and applauds the concept of a unified development plan for these 8 tracts.

3. That the City Council endorses the concept of the roadway internal to these tracts and parallel to Loop 360.

4. That the City Council encourages developer cost sharing for utility, transportation, and surface water runoff improvements necessitated by this development and

5. That the City Council directs City staff to develop costs, schedules, risks, and potential funding options for various types and degrees of "relief" for the Barton Creek lift station, to provide the line capacity to serve the Loop 360 Corridor.

And these options should be compared with the option of not relieving the Barton Creek Lift Station with respect to planning and environmental concerns.

Mayor Cooksey seconded the motion.

Friendly Amendments

Councilmember Shipman offered the following friendly amendments:

This resolution does not constitute any endorsements, or any support for a proposed land use plan.

That the zoning category determined by staff to allow joint-ownership include funding commitments from the appropriate governmental entity for roadway improvements where required.

Councilmember Carl-Mitchell and Mayor Cooksey accepted the friendly amendments.

Roll Call on Motion with Friendly Amendments

7-0 Vote

At this point Councilmember Carl-Mitchell left the Council Chamber and did not return.

NUCLEAR INSURANCE PROPERTY INSURANCE PROJECT AGREEMENT

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving Amendment No. 3 to the South Texas Nuclear Project Participation Agreement and the Nuclear Property Insurance Project Agreement. (4-0 Vote, Councilmember Humphrey abstained, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent.)

SOUTHWEST TRAVIS COUNTY MUD

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving \$3.2 million in District Bonds for Southwest Travis County Municipal Utility District No. 1, with a tax rate of 20¢ per \$100.00 valuation for 1986 and decrease thereafter. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent.)

COMPREHENSIVE WATERSHEDS ORDINANCE WAIVER

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance approving a Comprehensive Watersheds Ordinance Waiver for the following: (6-0 Vote, Councilmember Carl-Mitchell absent.)

- a. Westlake Hills Presbyterian Church

ETJ RELEASE TO VILLAGE OF LAKEWAY

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance to begin disannexation process of ETJ acreage to the Village of Lakeway. (6-0 Vote, Councilmember Carl-Mitchell absent.)

APPEALS SET

December 4, 1986 at 5:00 P.M. - Ms. Jackie Olfer's request that Council have a hearing on an appeal of the Planning Commission's decision regarding RZ-86-041, 5600 RM 620 N.

December 4, 1985 at 5:00 p.m. - Mr. Earl Beaty's request that council hear an appeal of the Planning Commission's decision regarding RZ-86-041,

On Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmember Carl-Mitchell absent and Councilmember Humphrey out of the room.

PUBLIC HEARING

Mayor Cooksey opened the public hearing set for 4:00 p.m. on an appeal from Mr. Joe R. Wyman-Young of the Planning Commission's decision regarding 1115 West 11th Street. SP-86-059.

Mr. Wyman-Young spoke and Mr. Danny Traverso spoke against.

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, closed the public hearing, and granted the appeal for the site plan. (6-0 Vote, Councilmember Carl-Mitchell absent.)

ZONING HEARING

Mayor Cooksey opened the hearing on the following zoning case. Council heard, closed the public hearing, waived the requirement for three readings and finally passed, as an emergency, an ordinance covering the following zoning case on Councilmember Shipman's motion, Councilmember Rose's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

(1) -84 REV. A. D.
213 EBERHART
By Jimmy Nassour

6100-6300 South 1st
Street

From "I-SF-3"
To "GR"

RECOMMENDED

The Planning Commission did not review the site plan. However, their action on the rezoning request is stated as follows: To grant "GR" subject to site plan review prior to City Council hearing, dedication of up to 35' of right-of-way from Eberhart Lane.

GRANT "GR" TRACT A&B
SITE PLAN TRACT B
ORDINANCE ON EMERGENCY
PASSAGE

Approved with agreement entered into the record, see page 13.

October 30, 1986

Council Member Smoot Carl-Mitchell
Austin City Council
City of Austin Municipal Building
124 West 8th Street
Austin, Texas 78701

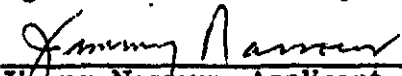
RE: C14-84-213

Dear Council Member Carl-Mitchell:

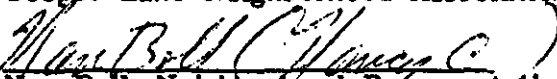
After our meeting on October 28, 1986, the neighborhood and applicant of the above-referenced case are in agreement that the zoning of Tracts A and B be zoned GR and that the site plan be approved for Tract B only.

A building permit for Tract A shall not be issued until the site plan for said tract is approved by the City Council. At this time the neighborhood will be entitled to voice any objections they may have.

Agreed to this 29th day of October, 1986.



Jimmy Nassour, Applicant
211 East Seventh Street
Southwest Tower, Suite 818
Austin, Texas 78701

Cooper Lane Neighborhood Association


Nan Boll, Neighborhood Representative
607 Blueberry Hill 5906-B Cherry Loop
Austin, Texas 78745


David Cheek, Neighborhood Representative
607 Blueberry Hill
Austin, Texas 78745

cc: Mr. Larry Lewellyn, M.D.
Mr. Dick Phillips



ITEMS FROM COUNCIL

The items from Council were postponed to November 6, 1986.

BI-WEEKLY WASTEWATER REPORT

Jim Thompson, Director of Water and Wastewater, presented the Bi-Weekly Wastewater Report.

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters as follows. Any action to be taken shall be done in open meeting.

a. Pending Litigation - Section 2, Paragraph e

- (1) Bee Cave Incorporation
- (2) Garfield and Mustang Ridge boundary disputes
- (3) Valero dockets

RECESS

Council recessed for executive session at 5:40 and resumed their recessed meeting at 7:05 p.m.

PUBLIC HEARING

Mayor Cooksey opened the public hearing scheduled for 6:00 p.m. on results of the report prepared by the Greiner Austin Team.

Speakers were Joe Turner; David Cobb, Windsor Park Neighborhood Association; Margie W. Slade, Brentwood Neighborhood Association; Rick Wheeler, representing Austin-Greiner; Beverly Kimbrough, Brentwood Neighborhood Assn.; Mike Eisenberg, who said the greatest impact would be next to the most densely populated area; Sharon Rue, representing Northeast Neighborhood Association; Sam Griswold; Douglas Morgan, Kathy Patman, Airport Advisory Board; Kurt Sauer, Airport Advisory Board (both board members are against moving the airport); David Johnson representing the 183 Economic Development Council; Roger Taylor and Pat Malone Sr. want the airport moved; Peter Nesbee, Brentwood Neighborhood Association; Dave Helfert, chairman Airport Advisory Board said they favor the \$57,000,000 plan and future site relocation; Dick Stanford, Lee Cooke, Austin Chamber of Commerce, who recommended the moving of the airport.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing. (6-0 Vote, Councilmember Carl-Mitchell absent.)

Councilmember Rose said he would like to have Council hold meetings in four communities for a staff briefing with FAA and then let the people ask questions.

Mayor Cooksey said that was a good idea but "we need to move quickly on intermediate improvements."

Both Mayor Pro Tem Trevino and Councilmember Urdy spoke in favor of moving the airport. Mayor Cooksey said they must take a careful look at the costs involved.

ADJOURNMENT

Council adjourned its meeting at 8:45 p.m.